



TECH CENTER 2800

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2873

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TRANSMITTAL
FORM

(to be used for all correspondence after initial filing)

		Application Number	09/128,156
		Filing Date	12/04/2000
		First Named Inventor	RICHARD F. BERGEN
		Group Art Unit	2873
		Examiner Name	A. HARRINGTON
Total Number of Pages in This Submission	3	Attorney Docket Number	D/01

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	SPECIES ELECTION
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	WILLIAM A. HENRY, II
Signature	William A. Henry, II
Date	2/15/02

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date:

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Attorney Docket No. D/01

TECH CENTER 2800

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventors: Richard F. Bergen

Application No.: 09/728,756 Group: 2873

Filed: 12/04/2000 Examiner: A. Harrington

Title: LIGHT ALTERING DEVICE

Commissioner for Patents
Washington, D.C. 20231

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ELECTION OF SPECIES UNDER 35 U.S.C. 121

This response is in answer to the communication mailed January 15, 2002 with a shortened statutory period for response set to expire one month from the heretofore-mentioned mailing date.

The Examiner proffers that the application is directed to the following patentably distinct species of the claimed invention:

FIG. 1 and claims 1 – 9, 10 – 16, 17 – 21, 24, 30, 31 and 36 – 40.

FIG. 5 and claims 22 and 23.

FIG. 6 and claim 25.

FIG. 7 and claims 26 and 27.

FIG. 8 and claims 28 and 29.

FIG. 9 and claims 32 – 35.

Applicant hereby elects the species of FIG. 1 and claims 1 – 9, 10 – 16, 17 – 21, 24, 30, 31 and 36 – 40 for examination.